

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** CHAIRMAN JOHN ESP, on January 21, 2009 at  
3:00 P.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. John Esp, Chairman (R)  
Sen. Jeff Essmann, Vice Chairman (R)  
Sen. Gregory D. Barkus (R)  
Sen. Ron Erickson (D)  
Sen. Kim Gillan (D)  
Sen. Verdell Jackson (R)  
Sen. Jesse Laslovich (D)  
Sen. Bruce Tutvedt (R)

**Members Excused:** None.

**Members Absent:** Sen. Steven Gallus (D)

**Staff Present:** Leanne Heisel, Legislative Branch  
Debra Polhemus, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 17, 1/13/2009; SB 215, 1/13/2009

Executive Action: SB 17 TABLED; SB 215 DO PASS  
SB 57 BE AMENDED

00:00:56 Chairman Esp

**EXHIBIT(los14a01)**

Referring to SB 8 heard in committee on January 14, 2009

**HEARING ON SB 215**

**Opening Statement by Sponsor:**

00:01:27 **SEN. DONALD STEINBEISSER (R), SD 19**, opened the hearing on **SB 215**, Revise reference to county share of county attorney pay.

**Proponents' Testimony:**

00:02:37 Larry Fasbender, Deputy Director, Department of Justice (DOJ)

00:03:46 L. Harold Blattie, Executive Director, Montana Association of Counties (MACo)

00:04:14 Kathy McGowan, Mountain County Attorneys Association

00:04:50 Gary Amestoy, representing Richland County Economic Development

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:05:30 Sen. Steinbeisser

**HEARING ON SB 17**

**Opening Statement by Sponsor:**

00:07:02 **SEN. GARY PERRY (R), SD 35**, opened the hearing on **SB 17**, Require public water and sewer systems for certain subdivisions.

**Proponents' Testimony:**

00:10:48 Steve Kilbreath, Montana Subdivision Supervisor, Department of Environmental Quality (DEQ)

00:13:30 Krista Lee Evans, representing Gallatin County Agricultural Irrigators (AGAI)

00:14:08 James E. Rokosch, Ravalli County Commissioner

**Opponents' Testimony:**

00:18:34 Glenn Oppel, Government Affairs Director, Montana  
Association of Realtors (MAR)

**EXHIBIT(los14a02)**

00:21:15 Former U. S. Representative Rick Hill, representing  
Montana Building Industry Association (MBIA)

**EXHIBIT(los14a03)**

00:24:15 Ronda Wiggers, representing Montana Water Well Drillers  
Association

00:27:30 Tim Davis, Montana Smart Growth Coalition

00:27:43 Jon Bennion, Montana Chamber of Commerce

00:28:07 Ray H. Center, Rocky Mountain Engineers, P.L.L.C.,  
Bozeman

**EXHIBIT(los14a04)**

**Informational Testimony:**

00:29:37 Jan Langel, Operations Manager, Water Resources  
Division, Department of Natural Resources and  
Conservation (DNRC)

**Questions from Committee Members and Responses:**

00:30:06 Sen. Essmann

00:30:42 Steve Kilbreath, DEQ

00:31:03 Sen. Barkus

00:31:10 James Rokosch

00:32:56 Sen. Gillan

00:33:33 Sen. Perry

**Closing by Sponsor:**

00:33:45 Sen. Perry

00:36:34 Recess

00:38:01 Reconvene

**EXECUTIVE ACTION ON SB 57**

00:38:37 **Motion:** Sen. Gillan moved that **SB 57 DO PASS.**

**Discussion:**

00:38:57 Sen. Gillan  
00:41:23 Hope Stockwell, Research Analyst, Legislative Services  
Division (LSD)

00:41:51 **Motion:** Sen. Gillan moved that **SB 57 BE AMENDED.**  
**EXHIBIT**(los14a05)

**Discussion:**

00:45:07 Chairman Esp  
00:45:19 Hope Stockwell, LSD  
00:46:00 Sen. Essmann  
00:46:21 Hope Stockwell, LSD  
00:48:23 Sen. Essmann  
00:49:08 L. Harold Blattie, MACo  
00:52:30 Sen. Tutvedt  
00:52:46 L. Harold Blattie, MACo  
00:53:56 Sen. Barkus  
00:54:13 L. Harold Blattie, MACo

00:55:42 **Vote:** Motion carried unanimously by voice vote with  
Sen. Gallus voting by proxy.

00:56:16 **Motion:** Sen. Gillan moved that **SB 57 DO PASS AS**  
**AMENDED.**

**Discussion:**

00:56:23 Sen. Gillan  
00:57:23 Chairman Esp  
00:57:47 Sen. Gillan  
00:58:03 L. Harold Blattie, MACo

**EXHIBIT**(los14a06)

01:03:59 Chairman Esp  
01:05:00 L. Harold Blattie, MACo  
01:05:54 Chairman Esp  
01:07:26 Sen. Gillan  
01:08:38 L. Harold Blattie  
01:09:38 Hope Stockwell, LSD  
01:09:58 Sen. Gillan  
01:10:36 Hopewell Stockwell, LSD  
01:11:12 Chairman Esp  
01:11:40 L. Harold Blattie, LSD  
01:12:50 Chairman Esp

01:14:23 Without objection from the committee Sen. Gillan  
withdrew her motion do pass as amended.

**Further Discussion on SB 57 and SB 58:**

01:15:08 Hope Stockwell

01:15:36 Sen. Gillan

01:16:11 Chairman Esp

**EXHIBIT(los14a07)**

01:16:23 Sen. Gillan

**EXECUTIVE ACTION ON SB 17**

01:17:08 **Motion/Vote:** Sen. Barkus moved that **SB 17 BE TABLED**.  
Motion carried 8-1 by voice vote with Sen. Gillan  
voting no and Sen. Gallus voting by proxy.

**EXECUTIVE ACTION ON SB 215**

01:17:48 **Motion/Vote:** Sen. Erickson moved that **SB 215 DO PASS**.  
Motion carried unanimously by voice vote with Sen.  
Gallus voting by proxy.

**Committee Business:**

01:18:48 Sen. Erickson, SB 9

**EXHIBIT(los14a08)**

01:18:59 Sen. Erickson

01:20:40 Chairman Esp

**ADJOURNMENT**

Adjournment: 4:30 P.M.

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DEBRA POLHEMUS, Secretary

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Additional Documents:

**EXHIBIT ([los14aad.pdf](#))**